

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re Renewed and Revised Ex Parte Application
of Mohd Najib Bin Abd Razak,

Petitioner,

-against-

For An Order Pursuant to 28 U.S.C. § 1782 To
Take Discovery For Use In Foreign Proceedings
From: Tim Leissner, Agnifilo Intrater LLP,
Brafman P.C. and Marc A. Agnifilo,

Respondents.
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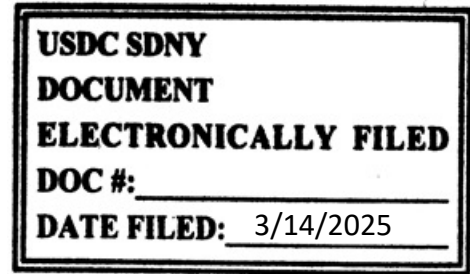
KATHARINE H. PARKER, United States Magistrate Judge:

On March 12, 2025, the parties appeared before the undersigned. As discussed at the conference and set forth below:

By March 19, 2025, Petitioner shall file supplemental briefing on the following issues:

(1) under what circumstances may a Petitioner in an application pursuant to 28 U.S.C. § 1782 amend the petition to add a Respondent and whether in this case the purported addition of Respondents Agnifilo Intrater LLP and Marc A. Agnifilo without leave of Court is proper; (2) whether, after leave for alternative service has been granted, a Respondent can challenge the service as improper; (3) whether and under what circumstances may a Court in a Section 1782 action require disclosure of the location of a Respondent who otherwise is not found in the District; (4) if the Court determines that this matter may be reopened pursuant to Fed. R. Civ. P. 60(b), whether Leissner may be “found” in this District for purposes of the discovery sought¹

¹ The Court notes that any deposition subpoena permitted under Section 1782 also must comply with Rule 45’s geographic requirements, including place of compliance requirements.



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POST-CONFERENCE ORDER

and whether the Court evaluates this issue as of the date this action was filed or, alternatively, upon reopening of this matter (if reopened); and (5) and whether all statutory and Intel factors weigh in favor of the discovery sought or, alternatively, whether the discovery sought should be denied or narrowed.

Respondents Agnifilo and Agnifilo Intrater LLP shall file their opposition on the issues relevant to them **by March 26, 2025**.

Respondent Leissner shall file his opposition on the issues relevant to him **by April 2, 2025**.

SO ORDERED.

Dated: March 14, 2025
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge